

Terry E. Welch (5819)
Bentley J. Tolk (6665)
Rodger M. Burge (8582)
PARR BROWN GEE & LOVELESS
101 South 200 East, Suite 700
Salt Lake City, Utah 84111
Telephone: (801) 532-7840
Facsimile: (801) 532-7750
twelch@parrbrown.com
btolk@parrbrown.com
rburge@parrbrown.com

Attorneys for Plaintiff Millrock Investment Fund 1, LLC

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

MILLROCK INVESTMENT FUND 1, LLC,

Plaintiff,

v.

HEALTHCARE SOLUTIONS
MANAGEMENT GROUP, INC.;
HEALTHCARE SOLUTIONS HOLDINGS
INC.; LANDES CAPITAL MANAGEMENT,
LLC; LANDES AND COMPAGNIE TRUST
PRIVE KB; JOSHUA CONSTANTIN;
JUSTIN SMITH; STUART MCMAHEN; and
BLACK LABEL SERVICES, INC.,

Defendants.

**STIPULATED MOTION TO EXTEND
DEADLINE TO FILE OPPOSITION TO
DEFENDANTS JOSHUA CONSTANTIN
AND STUART MCMAHEN’S MOTION
FOR SUMMARY JUDGMENT**

Case No. 2:23-CV-00157-RJS-DAO

Chief District Judge Robert J. Shelby

Magistrate Judge Daphne A. Oberg

Plaintiff Millrock Investment Fund 1, LLC (“Millrock”) and Defendants Joshua Constantin and Stuart McMahan hereby stipulate and move the Court to extend Plaintiff’s deadline to file a response in opposition to Defendants Joshua Constantin and Stuart McMahan’s Motion for

Summary Judgment, *see* ECF No. 95 (the “Motion”), to either (1) should the Court opt to grant the pending motion to extend the stay of this case, *see* ECF No. 99 (the “Motion to Extend the Stay”), 28 days after the stay of this case expires; or (2) should the Court opt to deny the Motion to Extend the Stay, 28 days after the Court issues an order denying the Motion to Extend the Stay.

Good cause exists for the requested extension because the case was stayed on the same day that the Motion was filed, and because the Motion to Extend the Stay is pending. As a result, if the Court does not grant the Motion to Extend the Stay or does not issue an order on the Motion to Extend the Stay before next Tuesday, then Millrock’s response in opposition to the Motion is technically due this coming Tuesday, June 11, 2024.¹

This stipulated motion is timely because the June 11, 2024 deadline to file a response to the Motion has not expired. A copy of the proposed Order Granting Stipulated Motion to Extend Deadline to File Opposition to Defendants Joshua Constantin and Stuart McMahan’s Motion for Summary Judgment is attached as exhibit A.

DATED June 6, 2024.

PARR BROWN GEE & LOVELESS

By: /s/ Bentley J. Tolk
Terry E. Welch
Bentley J. Tolk
Rodger M. Burge

*Attorneys for Plaintiff Millrock Investment Fund 1,
LLC*

¹ The stipulating parties recognize that the Court’s recent order staying the deadlines at issue in ECF No. 99 means that the Court likely does not expect Millrock to file a response to the Motion by June 11, 2024. *See* ECF No. 107. However, because ECF No. 99 does not reference the Motion, the stipulating parties are filing this stipulated motion out of an abundance of caution.

CLYDE SNOW & SESSIONS, P.C.

By: /s/ Keith M. Woodwell
Keith M. Woodwell

*Attorneys for Defendants Joshua Constantin and
Stuart McMahan*

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2024, I caused to be served a true and correct copy of the foregoing **STIPULATED MOTION TO EXTEND DEADLINE TO FILE OPPOSITION TO DEFENDANTS JOSHUA CONSTANTIN AND STUART MCMAHEN'S MOTION FOR SUMMARY JUDGMENT** via the CM/ECF, which automatically provided notice to all counsel of record.

/s/ Bentley J. Tolk